

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

eShares, Inc. d/b/a Carta, Inc.,

*Plaintiff,*

v.

Jerry O. Talton, III,

*Defendant.*

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Civil Action No.: 22-cv-10987 (JMF)

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**NOTICE OF PARTIAL MOTION TO DISMISS PLAINTIFFS' COMPLAINT  
PURSUANT TO FED. R. CIV. P. 12(B)(1) AND 12(B)(6)**

PLEASE TAKE NOTICE that, upon the memorandum of law dated the 15th day of March 2023 and filed contemporaneously herewith, Defendant Jerry O. Talton, III, will move this Court before the Honorable Jesse M. Furman, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, on a date and time designated by the Court, for an Order dismissing with prejudice, in part, Plaintiffs' Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

Dated: March 15, 2023

Respectfully submitted,

**McALLISTER OLIVARIUS**

/s/ John F. O. McAllister

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III*